

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MCCARTHY BUILDING COMPANIES, INC.,  
a Missouri corporation, successor to SDL  
CORPORATION, a Washington corporation,

Plaintiff,

v.

THE OHIO CASUALTY INSURANCE  
COMPANY, a Ohio corporation; LIBERTY  
SURPLUS INSURANCE CORPORATION, a  
New Hampshire corporation,

Defendants,

and

ARCH INSURANCE COMPANY, a Missouri  
corporation; ST. PAUL FIRE AND MARINE  
INSURANCE COMPANY, a Minnesota  
corporation,

Additional Parties.

**NO. C10-809MJP**

**MINUTE ORDER**

The following minute order is made by the direction of the court, the Honorable Marsha J. Pechman:

The Court has received and reviewed Defendant Liberty Surplus Insurance Corporation's Motion for Rule 56(f) Continuance or Stay of Plaintiff's Motion for Partial Summary Judgment (Dkt. No. 23), Plaintiff's Opposition to Defendant Liberty Surplus Insurance Corporation's Motion for Rule 56(f) Continuance or Stay of Plaintiff's Motion for Partial Summary Judgment (Dkt. No. 40),

MINUTE ORDER

1 Liberty Surplus Insurance Corporation's Reply in Support of Motion to Continue or Stay McCarthy's  
2 Motion for Summary Judgment (Dkt. No. 45), all attached exhibits and declarations and the joinder  
3 pleadings of various other parties to this litigation. The Court rules on the motion as follows:

4 IT IS ORDERED that Defendant Liberty Surplus Insurance Corporation's Motion for  
5 Continuance is GRANTED pursuant to FRCP 56(f).

6 IT IS FURTHER ORDERED that Plaintiff McCarthy Building Companies' Motion for Partial  
7 Summary Judgment (Dkt. No. 17) is STAYED until further notice.

8 The parties are currently under a schedule which calls for them to confer, exchange initial  
9 discovery and file a Joint Status Report with the Court by August 13, 2010. The Court directs the  
10 parties to include as part of the Joint Status Report a section on the most judicially efficient and  
11 appropriate length of time to postpone consideration of the pending motion for partial summary  
12 judgment (i.e., until an appropriate discovery period or until the conclusion of the underlying state  
13 court litigation).

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15 Filed this 16th day of July, 2010.

16 BRUCE RIFKIN, Clerk

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18 By /s Mary Duett  
19 Deputy Clerk  
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26 MINUTE ORDER